

**CITY OF SAN DIEGO
ETHICS COMMISSION**

Office of the Executive Director

MEMORANDUM

DATE: January 13, 2015

TO: Honorable Council President Sherri Lightner, Chair of the Charter Review Committee

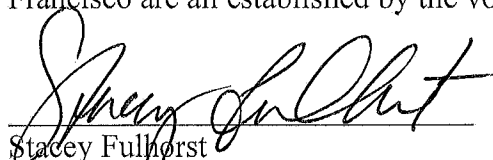
FROM: Stacey Fulhorst, Executive Director

SUBJECT: Recommended Update to the City Charter

In response to your memo dated December 18, 2014, we respectfully request that the Charter Review Committee consider and recommend language solidifying the existence of the Ethics Commission. The City Charter currently recognizes certain powers of the Commission, but also notes that the Commission is established through an ordinance adopted by the City Council. Although the Commission has historically enjoyed the support of the City's elected officials, this may not always be the case, particularly in light of the potential for enforcement activities involving such officials. Until the Commission's existence is established under the Charter, the Ethics Commission could be eliminated by Council action, without a public vote.

When voters overwhelmingly approved amendments to the City Charter in 2002 and 2004 to provide the Commission with subpoena power and independent legal counsel, they conveyed their support for the Commission's continued administration and enforcement of the City's governmental ethics laws. The requested City Charter amendment would serve to bolster that goal, and would prevent the potential for political repercussions by ensuring that only the voters could eliminate the Commission.

It is also relevant to note that the Ethics Commissions in Los Angeles, Oakland, and San Francisco are all established by the voters in their respective city charters.



Stacey Fulhorst
Executive Director

cc: Scott Chadwick, Chief Operating Officer
Prescilla Dugard, Deputy City Attorney